

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AARON C. LONDON,

Petitioner,

v.

JONATHAN C. MINER, et al.,

Respondents.

Civil Action No. 07-10 Erie

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on January 23, 2007 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation [20], filed on June 27, 2008, recommends that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability also be denied. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on Petitioner by certified mail at Florence USP, where he is incarcerated. Petitioner has filed no objections to Chief Magistrate Judge Baxter's Report and Recommendation. After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of July, 2008,

IT IS ORDERED that the Petition for Writ of Habeas Corpus be, and hereby is, DENIED. Inasmuch as the Petitioner has not made a substantial showing of the denial of a constitutional right, IT IS FURTHER ORDERED that a certificate of appealability is also denied.

The Report and Recommendation of Chief Magistrate Judge Baxter, filed on June 27, 2008 [20] is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record
Susan Paradise Baxter, Chief U.S. Magistrate Judge